

NB: RTP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

MICHAEL MARANDA,
PAUL GOMES and
RUSSELL ALGAZE,
also known as "Alex",

(21 U.S.C. §§ 846,
841(b)(1)(B)(vii)

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

FRANCIS X. RAU, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration, duly appointed according to law and acting as such.

Upon information and belief, in or about and between July 2011 and November 2011, both dates being approximate and inclusive, within the Eastern District of New York, the defendants MICHAEL MARANDA, PAUL GOMES, and RUSSELL ALGAZE, together with others, did knowingly and intentionally conspire to possess with intent to distribute a controlled substance, which offense involved over 100 marijuana plants, a schedule I controlled substance, contrary to 21 U.S.C. § 841(a)(1).

(Title 21, United States Code, Sections 846 and 841(b)(1)(B)(vii))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the Drug Enforcement Administration ("DEA"). I have been a Special Agent with the DEA for approximately eleven years. I am currently assigned to the Long Island District office.

2. On November 2, 2011 Special Agents with the DEA executed a search warrant at 1139 Station Road, Suite Two, Medford, New York, 11763 ("SUBJECT PREMISES NO. 1") as well as 1139 Station Road, Suite Nine, Medford, New York, 11763 ("SUBJECT PREMISES NO. 2"). The search warrant was authorized by the Honorable A. Kathleen Tomlinson on October 25, 2011.

3. From October 25, 2011 to November 2, 2011, DEA special agents observed the defendant MICHAEL MARANDA at SUBJECT PREMISES NO. 1 on several occasions. On each occasion, agents observed MICHAEL MARANDA using a key to unlock the front door to SUBJECT PREMISES NO. 1 to gain entry to the premises. Agents also observed the defendant MICHAEL MARANDA removing hoses from the blue Ford F150 pick-up truck that he drove to the SUBJECT PREMISES and bringing the hoses into the SUBJECT PREMISES. Agents further observed other unidentified individuals removing

¹ Because the purpose of this Complaint is only to state probable cause I have not described all the relevant facts and circumstances of which I am aware.

garbage bags and containers from SUBJECT PREMISES NO. 1 into MARANDA's blue Ford F150 pickup truck. Agents further observed MARANDA driving away from SUBJECT PREMISES NO.1 with the garbage bags and containers in his truck.

4. From October 25, 2011 to November 2, 2011, special agents observed an individual now known to be the defendant PAUL GOMES at the SUBJECT PREMISES NO. 1 on several occasions. On each occasion, agents observed GOMES using a key to unlock the front door to SUBJECT PREMISES NO. 1 to gain entry to the premises.

5. From October 25, 2011 to November 2, 2011, special agents observed the defendant RUSSELL ALGAZE at the SUBJECT PREMISES NO. 1 on several occasions. On each occasion, agents observed ALGAZE using a key to unlock the front door to SUBJECT PREMISES NO. 1 to gain entry to the premises.

6. On November 2, 2011, I and other agents then conducted a search of SUBJECT PREMISES NO. 1 and SUBJECT PREMISES NO. 2. Inside SUBJECT PREMISES NO. 1, I observed approximately 227 plants, which, based on my training and experience, I believe to be marijuana plants. Also present in SUBJECT PREMISES NO. 1 were tents that contained the marijuana plants, high-powered lamps, transformers, ozone generator, water pumps, an air conditioner, fans, and other equipment consistent with a marijuana growing operation.

7. I then requested from defendant MICHAEL MARANDA consent to search another suite in the storage facility, suite 11, which I had reason to believe was another storage unit that the defendant MICHAEL MARANDA was renting. The defendant MICHAEL MIRANDA acknowledge that he was renting suite 11, gave me written consent to search suite 11 and provided me with a key that was then used by another special agent to open suite 11. Inside suite 11, I observed approximately 220 plants, which based on my training and experience, I believe to be marijuana plants. Also present in suite 11 were tents that contained the marijuana plants, high-powered lamps, transformers, ozone generator, water pumps, fans, and other equipment consistent with a marijuana growing operation.

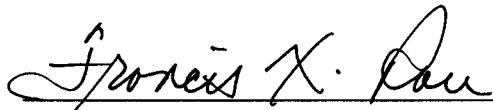
8. Defendants MICHAEL MARANDA, PAUL GOMES and RUSSEL ALGAZE, also known as "Alex," were all present during the execution of the search warrant and all were in possession of a key to SUBJECT PREMISES NO. 1.

9. Each of the defendants were advised of their Miranda rights and agreed to speak with me after waiving their rights. In sum and substance, each of the defendants stated that they knew a marijuana grow operation was being operated out of SUBJECT PREMISES NO. 1 and Suite 11 and that each had a role in the operation. MARANDA described himself as the manager and investor of the marijuana operation. GOMES described himself as

investor and a person involved with daily maintenance of the marijuana plants. ALGAZE described himself as handling daily maintenance of the marijuana plants. All three participants stated that they were to share profits from the sale of the marijuana harvested from the plants.

WHEREFORE, your deponent respectfully requests that the defendants MICHAEL MARANDA, PAUL GOMES and RUSSELL ALGAZE be dealt with according to law.

Dated: Central Islip, New York
November 3, 2011


Francis X. Raу
FRANCIS X. RAU
Special Agent
Drug Enforcement Administration

Sworn to before me this
3 day of November, 2011,


M. M.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK